IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

WP(C).No. 25187 of 2004(W)

PETITIONER:

V.PRABHAKARAN, PRABHA BHAVAN,
MUTTAM P.O., HARIPPAD,
ALAPPUZHA DISTRICT.

BY ADV. SRI.P.SANTHOSH KUMAR (TR)

RESPONDENTS:

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1. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE
FUND BOARD, ALAPPUZHA DISTRICT, HARIPPAD.

2. THE DISTRICT COLLECTOR,
ALAPPUZHA.

3. THE VILLAGE OFFICER, CHEPPAD VILLAGE
OFFICE, KARTHIKAPPALLY TALUK,
ALAPPUZHA DISTRICT.

R1 BY ADV. SRI.K.HARILAL, SC,KMTWF BOARD
R2 AND R3 BY G.P. SMT. SMITHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE AGREEMENT OF SALE DATED 7.6.2002

EXT.P2 TRUE COPY OF THE R.C. BOOK OF THE VEHICLE KL-13/A-3105

EXT.P3 TRUE COPY OF THE APPLICATION FOR RENEWAL OF FITNESS OF THE VEHICLE DATED 25.5.2004

EXT.P4 TRUE COPY OF THE DEMAND NOTICE WITH ITS NO. B4.26/04/KMT. DATED NIL.

EXT.P5 TRUE COPY OF THE DEMAND NOTICE WITH ITS NO. B4.26/04/KMT.DATED 21.6.2004

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N. RAMACHANDRAN NAIR, J.

W.P.C. NO. 25187 OF 2004

Dated this the 14th day of December, 2007

JUDGMENT

Even though petitioner is contesting liability, I do not find any justification to interfere with the demand. However, at the request of counsel for the petitioner, petitioner is granted 10 equal monthly instalments to clear the arrears, first of which will be paid on or before 15th January, 2008 and balance on or before 15th of nine succeeding months. Revenue recovery proceedings will be kept in abeyance for payments as above. If payments are made voluntarily no collection charges will be recovered from the petitioner. However, if petitioner commits default in payment of any instalment, the instalment facility granted herein will stand automatically vacated, and respondents will be free to proceed for recovery of the entire amount due, including collection charges.

W.P. is disposed of as above.

(C.N. RAMACHANDRAN NAIR)
Judge